

AMENDED IN ASSEMBLY AUGUST 10, 2006

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE APRIL 17, 2006

**SENATE BILL**

**No. 1777**

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**Introduced by Senator Alarcon**

**(Coauthor: Senator Soto)**

*(Coauthors: Assembly Members Cohn, Jerome Horton, and Pavley)*

February 24, 2006

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An act to add and repeal Section 42926 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1777, as amended, Alarcon. Juvenile court schools: foster children: educational services funding.

Existing law requires the county board of education to provide for the administration and operation of juvenile court schools, as defined.

This bill, ~~until January 1, 2012,~~ would require the Superintendent of Public Instruction to establish a process to accept and review applications from county offices of education and school districts for funding under the bill and would require the Superintendent to approve an application for funding only if the applicant agrees to comply with specified requirements and is either (1) a county office of education that provides educational services through a juvenile court school to a foster child, as specified, or (2) a school district or county office of education that provides educational services to a pupil who is a foster child transferring to the school district or county office of education from a juvenile detention hall or probation camp and has

received educational services through a juvenile court school. *The bill also would require the Superintendent to approve the application for funding of a school district only if the county office of education for the county in which the district is located first approves the application of the district.*

*The bill would require each county office of education that receives funding and operates a juvenile court school to designate staff persons as transition counselors who would perform specified functions and provide specified educational services.*

*The bill would require each school district or county office of education selected for funding up to and including the 2010–11 fiscal year to receive funding for at least 6 months, but not greater than one year, after the enrollment of the pupil in the school district or county office of education.* The bill would prohibit a school district from receiving the specified funding for pupils for whom it has received funding pursuant to specified provisions of existing law authorizing funding of school district educational services provided to foster children.

The bill would limit funding to amounts specifically appropriated in the annual Budget Act. The bill would require the Superintendent, on or before November 1 of each year, to provide the Governor with a proposed amount to be included in the Governor's proposed budget for the ensuing fiscal year for allocation to school districts and county offices of education that decide to provide educational services to foster children.

~~The bill would specify the total funding for these provisions to be an amount of not more than \$5,000,000, to be allocated in the amount of not more than \$1,000,000 per fiscal year during the 2006–07, 2007–08, 2008–09, 2009–10, and 2010–11 fiscal years.~~

The bill would require the State Department of Education, on or before January 1, 2012, to submit a report to the Legislature evaluating the effectiveness of the additional funding provided under the bill in accomplishing the purposes of the bill.

*This bill would provide for the repeal of its provisions on January 1, 2012.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 42926 is added to the Education Code,  
2 to read:

3     42926. (a) The Legislature finds and declares all of the  
4 following:

5     (1) It is essential to recognize, identify, and plan for the  
6 critical and unique needs of foster children residing in juvenile  
7 halls, camps, and ranches, and other settings served by juvenile  
8 court schools.

9     (2) A high percentage of these foster children are performing  
10 substantially below grade level, are being retained at least one  
11 year in the same grade level, and become school dropouts.

12     (3) The provision of effective and potentially cost-saving  
13 instruction, counseling, tutoring, and related services for foster  
14 children must be a state priority.

15     (b) Accordingly, it is the intent of the Legislature, in enacting  
16 this section, to provide additional funding to county offices of  
17 education and school districts that provide educational services to  
18 these pupils. It is also the intent of the Legislature that the  
19 per-pupil funding limit for foster children enrolled in juvenile  
20 court schools be removed after January 1, 2010, and be adjusted  
21 to reflect the appropriate per-pupil funding for the number of  
22 foster children enrolled in juvenile court schools.

23     (c) (1) The Superintendent shall establish a process to accept  
24 and review applications from county offices of education and  
25 school districts requesting funding under this section.

26     (2) The Superintendent shall approve an application for  
27 funding only if the applicant agrees to comply with subdivision  
28 (d), as applicable, and is either of the following:

29     (A) A county office of education that provides educational  
30 services through a juvenile court school to a foster child who has  
31 been removed from his or her home under Section 309 of the  
32 Welfare and Institutions Code, or is the subject of a petition filed  
33 under Section 300 of the Welfare and Institutions Code, or has  
34 been removed from his or her home and is the subject of a  
35 petition filed under Section 300 of the Welfare and Institutions  
36 Code.

37     (B) A school district or county office of education that  
38 provides educational services to a pupil who is a foster child

1 transferring to the school district or county office of education  
2 from a juvenile detention hall or probation camp and has  
3 received educational services through a juvenile court school.

4 (3) *The Superintendent shall approve the application of a*  
5 *school district for funding pursuant to this section only if the*  
6 *county office of education in the county in which the district is*  
7 *located first approves the application of the district.*

8 (d) Each county office of education that receives funding  
9 under this section and operates a juvenile court school shall  
10 designate staff persons as transition counselors who shall do all  
11 of the following:

12 (1) Encourage foster children to continue their education after  
13 release from the juvenile detention facility.

14 (2) Assist foster children when transferring from juvenile court  
15 school to a public school that would be in the best interests of the  
16 foster child.

17 (3) Coordinate with the educational liaison of the school  
18 district to ensure and facilitate proper educational placement and  
19 enrollment in the public school.

20 (e) The educational services provided to foster children  
21 pursuant to subdivision (d) shall include tutoring, education  
22 counseling, and assistance when transitioning from juvenile court  
23 school to public school.

24 ~~(f) Commencing with the 2006-07 fiscal year, until and~~  
25 ~~including the 2010-11 fiscal year, each county office of~~  
26 ~~education that is selected for funding under this section shall~~  
27 ~~receive, in addition to the base revenue limit, an allowance from~~  
28 ~~the amount annually transferred to Section A of the State School~~  
29 ~~Fund.~~

30 ~~(g)~~

31 (f) Commencing with the 2006-07 fiscal year, until and  
32 including the 2010-11 fiscal year, each school district or county  
33 office of education that is selected for funding ~~under this section~~  
34 ~~shall receive the same funding provided under subdivision (f)~~  
35 ~~appropriated in Chapter 47 of the Statutes of 2006 (the Budget~~  
36 ~~Act of 2006) or any annual Budget Act thereafter up to and~~  
37 ~~including the Budget Act of 2010, shall receive funding under~~  
38 ~~this section~~ for a period of at least six months, but not greater  
39 than one year, after the enrollment of the pupil in the school  
40 district or county office of education. A school district shall not

1 receive funds under this subdivision for pupils for whom it has  
2 received funding pursuant to Section 42920.5 or 42922.

3 ~~(h)~~

4 (g) A school district or county office of education that  
5 provides educational services to foster children who transition to  
6 public school pursuant to this section, and is selected for funding  
7 under this section, shall receive funding in any fiscal year for  
8 those services only from amounts that may specifically be  
9 appropriated by the Legislature in the annual Budget Act for that  
10 fiscal year for the support of those school centered foster children  
11 services that provide program effectiveness and potential cost  
12 savings to the state.

13 ~~(i)~~

14 (h) On or before November 1 of each year, the Superintendent  
15 shall provide the Governor with a proposed amount to be  
16 included in the proposed budget of the Governor for the ensuing  
17 fiscal year for allocation to school districts and county offices of  
18 education that decide to provide educational services to foster  
19 children pursuant to this section.

20 ~~(j) Total funding authorized pursuant to this section shall be~~  
21 ~~limited to an amount of not more than five million dollars~~  
22 ~~(\$5,000,000), to be allocated in the amount of not more than one~~  
23 ~~million dollars (\$1,000,000) per fiscal year during the 2006-07,~~  
24 ~~2007-08, 2008-09, 2009-10, and 2010-11 fiscal years.~~

25 ~~(k)~~

26 (i) On or before January 1, 2012, the department shall submit  
27 a report to the Legislature evaluating the effectiveness of the  
28 additional funding provided under this section in accomplishing  
29 the purposes of this section.

30 ~~(l)~~

31 (j) This section shall remain in effect only until January 1,  
32 2012, and as of that date is repealed, unless a later enacted  
33 statute, that is enacted before January 1, 2012, deletes or extends  
34 that date.